

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

GERALD L. ROGERS,) CASE NO. C05-1483-MJP
)
Plaintiff,)
) ORDER GRANTING APPLICATION
v.) TO PROCEED *IN FORMA PAUPERIS*
) AND DIRECTING INSTITUTION TO
ASIA EUROPE AMERICAS BANK, et al.,) CALCULATE, COLLECT, AND
) FORWARD PAYMENTS
Defendants.)
_____)

Plaintiff Gerald L. Rogers has filed an action to proceed *in forma pauperis* in this 42 U.S.C. § 1983 action. Having reviewed that application, the court finds and ORDERS:

(1) Plaintiff's application to proceed *in forma pauperis* is **GRANTED**. As set forth below, an initial partial filing fee will be collected, and thereafter each month plaintiff is required to pay 20 percent of the preceding month's income credited to his account until the full amount of the filing fee is satisfied.

(2) Pursuant to 28 U.S.C. § 1915 and plaintiff's approved application to proceed *in forma pauperis*, the agency having custody of the above named plaintiff is directed to calculate an initial partial filing fee equal to 20 percent of the greater of either: (1) the average monthly

01 deposits to the prisoner's account; or (2) the average monthly balance in the prisoner's account
02 for the 6-month period immediately preceding the date of this Order. The initial partial filing fee
03 should be forwarded to the court clerk as soon as practicable.

04 Subsequently, if the prisoner's account exceeds \$10.00, each month the financial officer
05 of the correctional facility is directed to collect and forward payments equal to 20 percent of the
06 prisoner's preceding month's income credited to the prisoner's account. In the event that the
07 monthly payment would reduce the prisoner's account below \$10.00, the financial officer should
08 collect and forward only that amount which would reduce the prisoner's account to the \$10.00
09 level. Please note that this \$10.00 limit does not apply to the initial partial filing fee described
10 above. Finally, the monthly payments should be collected and forwarded to the court until the
11 entire filing fee (\$250.00) for this matter has been paid.

12 (3) The Clerk is directed to send a copy of this order to plaintiff and to the financial
13 officer of the correctional facility.

14 DATED this 29th day of September, 2005.

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17 Mary Alice Theiler
18 United States Magistrate Judge
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